

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICKY KAMDEM-OUAFFO,
Plaintiff,
-against-
BALCHEM CORPORATION, et al.,
Defendants.

ORDER

17-CV-02810 (PMH)

19-CV-09943 (PMH)

PHILIP M. HALPERN, United States District Judge:

The Court declines to reiterate herein the long and tortured procedural history in this matter, which includes, *inter alia*, dismissal more than two years ago. Since that time, numerous ill-founded post-judgment motions and a years-long letter writing campaign have been filed by the *pro se* Plaintiff. The instant application concerns Plaintiff's March 24, 2023 motion pursuant to 28 U.S.C. § 455(a), seeking the disqualification of the undersigned. (Doc. 311).¹

A judge is required to recuse himself from "any proceeding in which his impartiality might reasonably be questioned." 28 U.S.C. § 455(a). Recusal is warranted if "an objective, disinterested observer fully informed of the underlying facts . . . [would] entertain significant doubt that justice would be done absent recusal." *United States v. Yousef*, 327 F.3d 56, 169 (2d Cir. 2003) (cleaned up). Plaintiff already sought my recusal in a motion immediately preceding the instant one, and that relief was denied as inappropriate. *See Kamdem-Ouaffo v. Balchem Corp.*, No. 17-CV-02810, 2023 WL 2266536, at *3 n.4 (S.D.N.Y. Feb. 28, 2023) ("Plaintiff's disagreements with the Court's rulings and his unsupported accusations of bias are insufficient to warrant recusal." (citing *Layman by Marvin v. Sheriff, Orange Cnty.*, No. 21-CV-10907, 2022 WL 1082410, at *1 (S.D.N.Y. Apr.

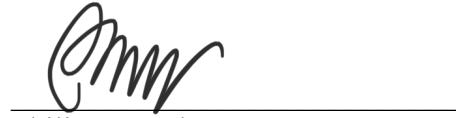
¹ Plaintiff filed the same motion in another closed matter assigned to this Court. *Kamdem-Ouaffo v. Balchem*, No. 19-CV-09943 at Doc. 93. This Order resolves both motions.

8, 2022))). Plaintiff has stated no conceivable basis in fact or law for his motion and has failed to meet his burden of proof. *See Yousef*, 327 F.3d at 169. Indeed, this case has been closed for more than two years—since March 23, 2021—and Plaintiff has no claims remaining to be adjudicated. The instant motion is denied for the same reasons as the prior motion for recusal. Plaintiff’s baseless and incessant *ad hominem* tirades against the undersigned—as well as one esteemed Magistrate Judge and three esteemed Second Circuit Judges—fail to warrant serious consideration, let alone recusal. Plaintiff’s motion is DENIED.

The Clerk of Court is respectfully directed to: (i) terminate the motion sequence pending at Doc. 311 in 17-CV-02810; and (ii) terminate the motion sequence pending at Doc. 93 in 19-CV-09943.

SO ORDERED:

Dated: White Plains, New York
April 5, 2023



Philip M. Halpern
United States District Judge